



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

March 11, 2014

Casey Pittman  
U.S. Army Corps of Engineers, Chicago District  
231 S. LaSalle St. Suite 1500  
Chicago, IL 60604

**RE: Nippersink Creek Ecosystem Restoration**  
**Project Number: 1406735**  
**County: McHenry**

Dear Ms. Pittman:

This letter concerns the Endangered Species Consultation for an ecosystem restoration project at Glacial Park in McHenry County. This project was submitted for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project will restore degraded areas of the site to their historic conditions and protect adjacent areas that are currently considered intact and high quality. Work will include streambank grading along 22 acres of Nippersink Creek to reduce stream channel incision, placement of cobble riffles to provide instream habitat as well as reduce channel incision, removal of invasive species and successional woodland from the 507.4 acre site, and seeding using local seed sources from surrounding natural areas with similar habitats and species. After construction the site will be maintained with prescribed burns, interseeding, and additional invasive species removal.

This project will enhance wildlife habitat, including essential habitat for the many state-listed bird species that have been recorded at the Park, as well as the state-endangered Blanding's Turtle (*Emydoidea blandingii*) which occurs throughout the Park. However, the nature of the restoration work could have a temporary adverse effect on these species. The Corps has agreed to implement the following recommendations to avoid or minimize any adverse effect.

- Limit or do not work in the vicinity of Lost Valley Marsh between mid-April and late June to avoid disturbing nesting birds such as the state-listed Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*), Upland Sandpiper (*Bartramia longicauda*), and Black Tern (*Chlidonias niger*), as well as other listed bird species that have used the site in the past. If Black Terns are observed nesting, extend the restricted date to late July to accommodate tern nesting.

- Post photos and educate all personnel working on site about Blanding's Turtles. If a turtle is encountered, all work should stop and the turtle should be allowed to move out of harm's way. Contact the McHenry County Conservation District, which will have staff at the park on a daily basis.
- Limit construction activities near wetlands to between October 1 and April 1. Female Blanding's start basking in April and hatchlings can be active and traveling back to wetlands until October.

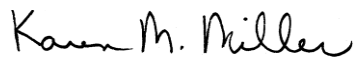
Because Blanding's Turtles are found throughout the site, the potential exists for a prohibited take to occur even with the protective measures listed above. Therefore the Department recommends that you consider applying for Incidental Take Authorization (ITA) from the Department's Office of Resource Conservation. Communication concerning the ITA application can be directed to Jenny Skufca, 217-557-8243 or [Jenny.Skufca@illinois.gov](mailto:Jenny.Skufca@illinois.gov).

Consultation under 17 Ill. Adm. Code Part 1075 is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions.

Sincerely,



Karen M. Miller  
Division of Ecosystems and Environment  
Phone (217) 785-5500  
[karen.m.miller@illinois.gov](mailto:karen.m.miller@illinois.gov)

CC: Ed Collins, McHenry County Conservation District